

LEGISLATURE OF NEBRASKA  
NINETY-NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 662**

Introduced by Smith, 48

Read first time January 19, 2005

Committee: Urban Affairs

A BILL

1 FOR AN ACT relating to motor vehicles; to amend sections  
2 18-1741.04, 60-311.14, and 60-311.25, Reissue Revised  
3 Statutes of Nebraska, and sections 18-1736 to 18-1741.01,  
4 18-1741.03, and 23-186, Revised Statutes Supplement,  
5 2004; to change terminology relating to handicapped or  
6 disabled parking; to provide for issuance of two placards  
7 as prescribed; to change the expiration period for  
8 permanently issued placards; to harmonize provisions; to  
9 provide an operative date; and to repeal the original  
10 sections.  
11 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 18-1736, Revised Statutes Supplement,  
2   2004, is amended to read:

3           18-1736. (1) A city or village may designate parking  
4   spaces, including access aisles, for the exclusive use of (a)  
5   handicapped or disabled persons whose motor vehicles display the  
6   distinguishing license plates issued to handicapped or disabled  
7   persons pursuant to section 60-311.14, (b) handicapped or disabled  
8   persons whose motor vehicles display a distinguishing license plate  
9   issued to a handicapped or disabled person by another state, (c)  
10   such other handicapped or disabled persons or temporarily  
11   handicapped or disabled persons, as certified by the city or  
12   village, whose motor vehicles display the ~~permit~~ placard specified  
13   in section 18-1739, and (d) such other motor vehicles, as certified  
14   by the city or village, which display the ~~permit~~ placard specified  
15   in section 18-1739. All such ~~permits~~ placards shall be displayed  
16   by hanging the ~~permit~~ placard from the motor vehicle's rearview  
17   mirror so as to be clearly visible through the front windshield.  
18   The ~~permit~~ placard shall be displayed on the dashboard only when  
19   there is no rearview mirror.

20           (2) If a city or village so designates a parking space or  
21   access aisle, it shall be indicated by posting aboveground and  
22   immediately adjacent to and visible from each space or access aisle  
23   a sign as described in section 18-1737. In addition to such sign,  
24   the space or access aisle may also be indicated by blue paint on  
25   the curb or edge of the paved portion of the street adjacent to the  
26   space or access aisle.

27           (3) For purposes of sections 18-1736 to 18-1742, access  
28   aisle means a space adjacent to a handicapped parking space or

1 passenger loading zone which is constructed and designed in  
2 compliance with the federal Americans with Disabilities Act of 1990  
3 and the federal rules and regulations adopted and promulgated in  
4 response to the act, as the act and the rules and regulations  
5 existed on May 31, 2001.

6           Sec. 2.     Section 18-1737, Revised Statutes Supplement,  
7 2004, is amended to read:

8           18-1737. (1) Any city or village, any state agency, and  
9 any person in lawful possession of any offstreet parking facility  
10 may designate stalls or spaces, including access aisles, in such  
11 facility owned or operated by the city, village, state agency, or  
12 person for the exclusive use of handicapped or disabled persons  
13 whose motor vehicles display the distinguishing license plates  
14 issued to such individuals pursuant to section 60-311.14, such  
15 other handicapped or disabled persons or temporarily handicapped or  
16 disabled persons, as certified by the city or village, whose motor  
17 vehicles display the ~~permit~~ placard specified in section 18-1739,  
18 and such other motor vehicles, as certified by the city or village,  
19 which display such ~~permit~~ placard. Such designation shall be made  
20 by posting aboveground and immediately adjacent to and visible from  
21 each stall or space, including access aisles, a sign which is in  
22 conformance with the Manual on Uniform Traffic Control Devices  
23 adopted pursuant to section 60-6,118 and the federal Americans with  
24 Disabilities Act of 1990 and the federal rules and regulations  
25 adopted and promulgated in response to the act, as the act and the  
26 rules and regulations existed on May 31, 2001.

27           (2) The owner or person in lawful possession of an  
28 offstreet parking facility, after notifying the police or sheriff's

1 department, as the case may be, and any city, village, or state  
2 agency providing onstreet parking or owning, operating, or  
3 providing an offstreet parking facility may cause the removal, from  
4 a stall or space, including access aisles, designated exclusively  
5 for handicapped or disabled persons or temporarily handicapped or  
6 disabled persons or motor vehicles for the transportation of  
7 handicapped or disabled persons or temporarily handicapped or  
8 disabled persons, of any vehicle not displaying the proper ~~permit~~  
9 placard or the distinguishing license plates specified in this  
10 section if there is posted aboveground and immediately adjacent to  
11 and visible from such stall or space, including access aisles, a  
12 sign which clearly and conspicuously states the area so designated  
13 as a tow-in zone.

14 (3) A person who parks a vehicle in any onstreet parking  
15 space or access aisle which has been designated exclusively for  
16 handicapped or disabled persons or temporarily handicapped or  
17 disabled persons or motor vehicles for the transportation of  
18 handicapped or disabled persons or temporarily handicapped or  
19 disabled persons, or in any so exclusively designated parking space  
20 or access aisle in any offstreet parking facility, without properly  
21 displaying the proper ~~permit~~ placard or when the handicapped or  
22 disabled person to whom or for whom, as the case may be, the  
23 license plate or ~~permit~~ placard is issued will not enter or exit  
24 the vehicle while it is parked in the designated space or access  
25 aisle shall be guilty of a handicapped parking infraction as  
26 defined in section 18-1741.01 and shall be subject to the penalties  
27 and procedures set forth in sections 18-1741.01 to 18-1741.07. The  
28 display on a motor vehicle of a distinguishing license plate or

1 ~~permit~~ placard issued to a handicapped or disabled person by and  
2 under the duly constituted authority of another state shall  
3 constitute a full and complete defense in any action for a  
4 handicapped parking infraction as defined in section 18-1741.01.  
5 If the identity of the person who parked the vehicle in violation  
6 of this section cannot be readily determined, the owner or person  
7 in whose name the vehicle is registered shall be held prima facie  
8 responsible for such violation and shall be guilty and subject to  
9 the penalties and procedures described in this section. In the  
10 case of a privately owned offstreet parking facility, a city or  
11 village shall not require the owner or person in lawful possession  
12 of such facility to inform the city or village of a violation of  
13 this section prior to the city or village issuing the violator a  
14 handicapped parking infraction citation.

15 (4) For purposes of this section and section 18-1741.01,  
16 state agency means any division, department, board, bureau,  
17 commission, or agency of the State of Nebraska created by the  
18 Constitution of Nebraska or established by act of the Legislature,  
19 including the University of Nebraska and the Nebraska state  
20 colleges, when the entity owns, leases, controls, or manages  
21 property which includes offstreet parking facilities.

22 Sec. 3. Section 18-1738, Revised Statutes Supplement,  
23 2004, is amended to read:

24 18-1738. (1) The clerk of any city of the primary class,  
25 first class, or second class or village shall, or the county clerk  
26 or designated county official pursuant to section 23-186 or the  
27 Department of Motor Vehicles may, take an application from a  
28 handicapped or disabled person or temporarily handicapped or

1 disabled person or his or her parent, legal guardian, or foster  
2 parent for a permit which will entitle the ~~holder thereof~~  
3 permitholder to a placard for use by the permitholder or a person  
4 driving a motor vehicle for the purpose of transporting such ~~holder~~  
5 permitholder to park in those spaces or access aisles provided for  
6 by sections 18-1736 to 18-1741 when the ~~holder of the permit~~  
7 permitholder will enter or exit the motor vehicle while it is  
8 parked in such spaces or access aisles. For purposes of this  
9 section, the handicapped or disabled person or temporarily  
10 handicapped or disabled person shall be considered the ~~holder of~~  
11 the permit permitholder.

12 (2) For purposes of sections 18-1736 to 18-1741:

13 (a) Handicapped ~~or handicapped~~ or disabled person ~~shall~~  
14 ~~mean~~ means any individual with a severe visual or physical  
15 impairment which limits personal mobility and results in an  
16 inability to travel unassisted more than two hundred feet without  
17 the use of a wheelchair, crutch, walker, or prosthetic, orthotic,  
18 or other assistant device, any individual whose personal mobility  
19 is limited as a result of respiratory problems, any individual who  
20 has a cardiac condition to the extent that his or her functional  
21 limitations are classified in severity as being Class III or Class  
22 IV, according to standards set by the American Heart Association,  
23 and any individual who has permanently lost all or substantially  
24 all the use of one or more limbs; and

25 (b) ~~or~~ Temporarily handicapped or disabled person ~~shall~~  
26 ~~mean~~ means any handicapped or disabled person whose personal  
27 mobility is expected to be limited in such manner for no longer  
28 than one year.

1           (3) A person applying for a permit or for the renewal of  
2 a permit shall complete an application, shall provide proof of  
3 identity, and shall submit a completed medical form containing the  
4 statutory criteria for qualification and signed by a physician,  
5 physician assistant, or advanced practice registered nurse  
6 certifying that the person who will be the holder meets the  
7 definition of handicapped or disabled person or temporarily  
8 handicapped or disabled person. No applicant shall be required to  
9 provide his or her social security number. In the case of a  
10 temporarily handicapped or disabled person, the certifying  
11 physician, physician assistant, or advanced practice registered  
12 nurse shall indicate the estimated date of recovery or that the  
13 temporary handicap or disability will continue for a period of six  
14 months, whichever is less. ~~A person may hold only one permit under~~  
15 ~~this section and may hold either a permit under this section or a~~  
16 ~~permit under section 18-1738.01, but not both.~~ The Department of  
17 Motor Vehicles shall provide applications and medical forms to the  
18 clerk or designated county official. The application form shall  
19 contain information listing the legal uses of ~~the permit~~ a placard  
20 and that the permit ~~is~~ and the placard are not transferable, ~~is are~~  
21 to be used by the party to whom issued or for the motor vehicle for  
22 which ~~it is~~ issued, ~~is~~ are not to be altered or reproduced, and ~~is~~  
23 are to be used only when a handicapped or disabled person or a  
24 temporarily handicapped or disabled person will enter or exit the  
25 motor vehicle while it is parked in a designated parking space or  
26 access aisle. The application form shall provide space for the  
27 applicant to sign a statement that he or she is aware of his or her  
28 rights, duties, and responsibilities with regard to the use and

1 possession of a handicapped or disabled parking permit and placard  
2 and the penalties provided by law for handicapped parking  
3 infractions. The application form shall also indicate that those  
4 convicted of handicapped parking infractions shall be subject to  
5 suspension of the permit and all placards for six months. A copy of  
6 the completed application form shall be given to each applicant.  
7 Before a permit and placard are ~~is~~ issued, the department shall  
8 enter all information required in the manner prescribed by section  
9 18-1739. The clerk or designated county official shall submit to  
10 the department the name, address, and license number of all persons  
11 applying for a permit pursuant to this section. An application for  
12 the renewal of a permit under this section may be filed within  
13 thirty days prior to the expiration of the permit. The existing  
14 permit and placard shall be invalid upon receipt of the new permit  
15 and placard. Following the receipt of the application and its  
16 processing, the Department of Motor Vehicles shall deliver each  
17 individual renewed permit and placard to the applicant in person or  
18 by first-class United States mail, postage prepaid, as  
19 circumstances permit, except that renewed permits and placards  
20 shall not be issued sooner than ten days prior to the date of  
21 expiration.

22 (4) The Department of Motor Vehicles, upon receipt from  
23 the clerk or designated county official of a completed application  
24 form and completed medical form from an applicant for a handicapped  
25 parking permit under this section, shall verify that the applicant  
26 qualifies for such permit and, if so, shall issue the same by  
27 delivering the permit and placard to the applicant in person or by  
28 first-class United States mail, postage prepaid, as circumstances



1 permit. Upon issuing such permit, the department shall provide the  
2 basic issuing data to the clerk or designated county official of  
3 the city or county where the permitholder resides or, if different,  
4 to the clerk or designated county official who originally accepted  
5 the application.

6 Sec. 4. Section 18-1738.01, Revised Statutes Supplement,  
7 2004, is amended to read:

8 18-1738.01. (1) The clerk of any city of the primary  
9 class, first class, or second class or village shall, or the county  
10 clerk or designated county official pursuant to section 23-186 or  
11 the Department of Motor Vehicles may, take an application from any  
12 person for a motor vehicle permit which will entitle the ~~holder~~  
13 ~~thereof~~ permitholder to a placard for use by the permitholder or a  
14 person driving the motor vehicle for the purpose of transporting  
15 handicapped or disabled persons or temporarily handicapped or  
16 disabled persons to park in those spaces or access aisles provided  
17 for by sections 18-1736 to 18-1741 if the motor vehicle is used  
18 primarily for the transportation of handicapped or disabled persons  
19 or temporarily handicapped or disabled persons. ~~Such parking~~  
20 ~~permit~~ The placard shall be used only when the motor vehicle for  
21 which it was issued is being used for the transportation of a  
22 handicapped or disabled person or temporarily handicapped or  
23 disabled person and such person will enter or exit the motor  
24 vehicle while it is parked in such designated spaces or access  
25 aisles.

26 (2) A person applying for a permit or for the renewal of  
27 a permit pursuant to this section shall apply for a permit for each  
28 motor vehicle used for the transportation of handicapped or

1 disabled persons or temporarily handicapped or disabled persons,  
2 shall complete such forms as are provided to the clerk or  
3 designated county official by the Department of Motor Vehicles, and  
4 shall demonstrate to the clerk or designated county official or the  
5 department that each such motor vehicle is used primarily for the  
6 transportation of handicapped or disabled persons or temporarily  
7 handicapped or disabled persons. The application form shall  
8 contain information listing the legal uses of the permit placard  
9 and that the permit ~~is~~ and placard are not transferable, ~~is~~ are to  
10 be used by the party to whom issued or for the motor vehicle for  
11 which ~~it is~~ issued, ~~is~~ are not to be altered or reproduced, and ~~is~~  
12 are to be used only when a handicapped or disabled person or a  
13 temporarily handicapped or disabled person will enter or exit the  
14 motor vehicle while it is parked in a designated parking space or  
15 access aisle. The application form shall provide space for the  
16 applicant to sign a statement that he or she is aware of his or her  
17 rights, duties, and responsibilities with regard to the use and  
18 possession of a handicapped or disabled parking permit and placard  
19 and the penalties provided by law for handicapped parking  
20 infractions. The application form shall also indicate that those  
21 convicted of handicapped parking infractions shall be subject to  
22 suspension of the permit and placard for six months. A copy of the  
23 completed application form shall be given to each applicant. ~~No~~  
24 ~~more than one such permit shall be issued for each motor vehicle.~~  
25 ~~A person may hold either a permit under this section or a permit~~  
26 ~~under section 18-1738, but not both.~~ An application for the  
27 renewal of a permit under this section may be filed within thirty  
28 days prior to the expiration of the permit. The existing permit

1 and placard shall be invalid upon receipt of the new permit and  
2 placard. Following the receipt of the application and its  
3 processing, the Department of Motor Vehicles shall deliver each  
4 individual renewed permit and placard to the applicant in person or  
5 by first-class United States mail, postage prepaid, as  
6 circumstances permit, except that renewed permits and placards  
7 shall not be issued sooner than ten days prior to the date of  
8 expiration.

9 (3) The department, upon receipt from the clerk or  
10 designated county official of a completed application form with  
11 necessary accompanying certifications, shall verify that the  
12 applicant qualifies for a permit under this section and, if so,  
13 shall issue the same by delivering the permit and placard to the  
14 applicant in person or by first-class United States mail, postage  
15 prepaid, as circumstances permit. Before such permit is issued,  
16 the department shall enter all information required in the manner  
17 prescribed by section 18-1739. The clerk or designated county  
18 official shall submit to the department the name, address, and  
19 license number of all persons applying for a permit pursuant to  
20 this section. Upon issuing such permit, the department shall  
21 provide the basic issuing data to the clerk or designated county  
22 official of the city or county where the permitholder resides or,  
23 if different, to the clerk or designated county official who  
24 originally accepted the application.

25 Sec. 5. Section 18-1738.02, Revised Statutes Supplement,  
26 2004, is amended to read:

27 18-1738.02. (1) A person who does not have a license  
28 plate or plates under section 60-311.14 may request two placards

1 with an application for a permit issued under section 18-1738. If  
2 a person is issued a license plate or plates under section  
3 60-311.14, such person may also be issued a permit but only one  
4 placard under section 18-1738 or 18-1738.01. No more than one  
5 placard shall be issued under section 18-1738.01 for each motor  
6 vehicle. A person may hold a permit under section 18-1738 or a  
7 permit under section 18-1738.01, but not both.

8           (2) Any person applying for a permit pursuant to section  
9 18-1738 or 18-1738.01 shall apply for such permit to the city  
10 clerk, village clerk, county clerk, or designated county official  
11 pursuant to section 23-186 of the city, village, or county within  
12 which the applying individual resides or to the Department of Motor  
13 Vehicles. If such person does not reside within a city or village  
14 and the county clerk or designated county official does not issue  
15 permits, the person shall make application to the city clerk or  
16 village clerk of the city or village located nearest to his or her  
17 place of residence, to the county clerk or designated county  
18 official of any neighboring county who issues such permits, or to  
19 the department. No city clerk, village clerk, county clerk,  
20 designated county official, or department employee shall accept the  
21 application for a permit pursuant to section 18-1738 or 18-1738.01  
22 of any person making application contrary to the provisions of this  
23 section.

24           Sec. 6. Section 18-1739, Revised Statutes Supplement,  
25 2004, is amended to read:

26           18-1739. (1) The permit placard to be used with a permit  
27 issued pursuant to section 18-1738 or 18-1738.01 shall be  
28 constructed of a durable plastic designed to resist normal wear or

1 fading for the term of the ~~permit's~~ issuance period it will be  
2 valid and printed so as to minimize the possibility of alteration  
3 following issuance. The ~~permit~~ placard shall be of a design, size,  
4 configuration, color, and construction and contain such information  
5 as specified in the rules and regulations adopted and promulgated  
6 by the United States Department of Transportation in the Uniform  
7 System for Parking for Persons with Disabilities, 23 C.F.R. part  
8 1235, as such regulations existed on May 31, 2001.

9 (2) In addition to the requirements of subsection (1) of  
10 this section, the ~~permit~~ placard shall show the expiration date and  
11 such identifying information with regard to the handicapped or  
12 disabled person or temporarily handicapped or disabled person to  
13 whom it is issued as is necessary to the enforcement of sections  
14 18-1736 to 18-1741.07 as determined by the Department of Motor  
15 Vehicles. The expiration date information shall be distinctively  
16 color-coded so as to identify by color the year in which the ~~permit~~  
17 placard is due to expire.

18 (3) No permit shall be issued to any person or for any  
19 motor vehicle if any ~~parking~~ permit has been issued to such person  
20 or for such motor vehicle and such permit has been suspended  
21 pursuant to section 18-1741. At the expiration of such suspension,  
22 a permit may be renewed in the manner provided for renewal in  
23 sections 18-1738, 18-1738.01, and 18-1740.

24 (4) A duplicate ~~permit~~ placard may be provided without  
25 cost if the original ~~permit~~ placard is destroyed, lost, or stolen.  
26 Such duplicate ~~permit~~ placard shall be issued in the same manner as  
27 the original, ~~permit~~, except that a newly completed medical form  
28 need not be provided if a completed medical form submitted at the

1 time of the most recent application for a permit or its renewal is  
2 on file with the clerk or designated county official or the  
3 Department of Motor Vehicles. A duplicate ~~permit~~ placard shall be  
4 valid for the remainder of the period for which the original ~~permit~~  
5 was issued.

6 Sec. 7. Section 18-1740, Revised Statutes Supplement,  
7 2004, is amended to read:

8 18-1740. (1) All Until September 30, 2005, all  
9 permanently issued permits for handicapped or disabled parking  
10 authorized by sections 18-1736 to 18-1741.07 shall be issued for a  
11 period ending on September 30 of the third year after the date of  
12 issuance and shall expire on that date. All such permits issued on  
13 or after October 1, 2005, shall be issued for a period ending on  
14 September 30 of the fourth year after the date of issuance and  
15 shall expire on that date.

16 (2) All permits authorized under sections 18-1736 to  
17 18-1741.07 for temporarily handicapped or disabled parking shall be  
18 issued for a period ending not more than six months after the date  
19 of issuance but may be renewed one time for a period not to exceed  
20 six months. For the renewal period, there shall be submitted an  
21 additional application with proof of a handicap or disability.

22 Sec. 8. Section 18-1741, Revised Statutes Supplement,  
23 2004, is amended to read:

24 18-1741. Permits and placards issued under sections  
25 18-1736 to 18-1741 shall not be transferable and shall be used only  
26 by the party to whom issued or for the motor vehicle for which  
27 issued and only for the purpose for which it is issued. No person  
28 shall alter or reproduce in any manner a permit or placard issued

1 pursuant to section 18-1738 or 18-1738.01. No person shall  
2 knowingly hold more than one permit or knowingly provide false  
3 information on an application for a permit issued pursuant to such  
4 sections. No person who is not the holder of a handicapped or  
5 disabled parking permit issued to him or her as a handicapped or  
6 disabled person shall display a handicapped or disabled parking  
7 ~~permit~~ placard and park in a space or access aisle designated for  
8 the exclusive use of a handicapped or disabled person. No person  
9 who is the holder of a handicapped or disabled parking permit  
10 issued for the use of such person when transporting a handicapped  
11 or disabled person shall display his or her handicapped or disabled  
12 parking ~~permit~~ placard and park in a space or access aisle  
13 designated for the exclusive use of a handicapped or disabled  
14 person unless a handicapped or disabled person is actually in the  
15 vehicle displaying the ~~permit~~ placard at the time it is parked, has  
16 left the vehicle while it was parked, and will return to the  
17 vehicle before it leaves the designated space or access aisle. No  
18 person who is not the holder of a handicapped or disabled parking  
19 permit issued for use when a vehicle is transporting a handicapped  
20 or disabled person shall display a handicapped or disabled parking  
21 ~~permit~~ placard and park in a space or access aisle designated for  
22 the exclusive use of a handicapped or disabled person unless a  
23 handicapped or disabled person is actually in the vehicle  
24 displaying the ~~permit~~ placard at the time it is parked, has left  
25 the vehicle while it was parked, and will return to the vehicle  
26 before it leaves the designated space or access aisle. Any  
27 violation of this section shall constitute a handicapped parking  
28 infraction and shall be cause for suspension of such permit and all

1 placards issued to such permitholder for a period of six months and  
2 such other punishment as may be provided by local ordinance. In  
3 addition, the trial court shall impose a fine of not more than two  
4 hundred fifty dollars which may be waived by the court if, at the  
5 time of sentencing, all handicapped parking permits and placards  
6 issued to or in the possession of the offender are returned to the  
7 court. At the expiration of such six-month period, a suspended  
8 permit and placard may be renewed in the manner provided for  
9 renewal in sections 18-1738, 18-1738.01, and 18-1740.

10           Sec. 9. Section 18-1741.01 Revised Statutes Supplement,  
11 2004, is amended to read:

12           18-1741.01.     (1) For purposes of sections 18-1741.01 to  
13 18-1741.07, handicapped parking infraction means the violation of  
14 any statute or ordinance regulating (a) the use of parking spaces,  
15 including access aisles, designated for use by handicapped or  
16 disabled persons, (b) the unauthorized possession, use, or display  
17 of handicapped or disabled parking ~~permits~~ placards, or (c) the  
18 obstruction of any wheelchair ramps constructed or created in  
19 accordance and in conformity with the federal Americans with  
20 Disabilities Act of 1990, as the act existed on May 31, 2001.

21           (2) For any offense classified as a handicapped parking  
22 infraction, a handicapped parking citation may be issued by any  
23 peace officer or by any person designated by ordinance or  
24 resolution approved by a governing board of a county, city, or  
25 village to exercise the authority to issue a citation for any  
26 handicapped parking infraction. Such authorization shall be  
27 carried out in the manner specified in sections 18-1741.03 and  
28 18-1741.04.



1           (3) A state agency as defined in section 18-1737 which  
2 owns, leases, controls, or manages state property on which public  
3 parking is allowed may enter into an agreement with the governing  
4 board of the county, city, or village in which the state property  
5 or any portion of it is located to allow the political subdivision  
6 to enforce sections 18-1736 to 18-1741.07 on such state property.

7           Sec. 10.       Section 18-1741.03, Revised Statutes  
8 Supplement, 2004, is amended to read:

9           18-1741.03. To insure uniformity, the Supreme Court may  
10 prescribe the form of the handicapped parking citation to be used  
11 for handicapped parking infractions. The handicapped parking  
12 citation shall include a description of the handicapped parking  
13 infraction, the time and place at which the person cited is to  
14 appear, a warning that failure to appear in accordance with the  
15 command of the citation is a punishable offense, and such other  
16 matter as the Supreme Court deems appropriate, but shall not  
17 include a place for the cited person's social security number. The  
18 handicapped parking citation shall provide space for an affidavit  
19 by a peace officer certifying that the recipient of the citation is  
20 the lawful possessor in his or her own right of a handicapped or  
21 disabled parking permit issued under the provisions of section  
22 18-1738 or 18-1738.01 and that the peace officer has personally  
23 viewed the permit and placard. The Supreme Court may provide that  
24 a copy of the handicapped parking citation constitutes the  
25 complaint filed in the trial court.

26           Sec. 11.   Section 18-1741.04, Reissue Revised Statutes of  
27 Nebraska, is amended to read:

28           18-1741.04. When a handicapped parking citation is

1 issued for a handicapped parking infraction, the person issuing the  
2 handicapped parking citation shall enter thereon all required  
3 information, including the name and address of the cited person or,  
4 if not known, the license number and description of the offending  
5 motor vehicle, the offense charged, and the time and place the  
6 person cited is to appear in court. Unless the person cited  
7 requests an earlier date, the time of appearance shall be at least  
8 three days after the issuance of the handicapped parking citation.  
9 One copy of the handicapped parking citation shall be delivered to  
10 the person cited or attached to the offending motor vehicle. At  
11 least twenty-four hours before the time set for the appearance of  
12 the cited person, either the prosecuting attorney or other person  
13 authorized by law to issue a complaint for the particular offense  
14 shall issue and file a complaint charging such person with a  
15 handicapped parking infraction or such person shall be released  
16 from the obligation to appear as specified. A person cited for a  
17 handicapped parking violation may waive his or her right to trial.  
18 For any handicapped parking citation issued for a handicapped  
19 parking infraction by reason of the failure of a vehicle to display  
20 a handicapped parking ~~permit~~ placard issued pursuant to section  
21 18-1738 or 18-1738.01, the complaint shall be dismissed if, within  
22 seven business days after the date of issuance of the citation, the  
23 person cited files with the court the affidavit provided for in  
24 section 18-1741.03, signed by a peace officer certifying that the  
25 recipient is the lawful possessor in his or her own right of a  
26 handicapped parking permit issued under section 18-1738 or  
27 18-1738.01 and that the peace officer has personally viewed the  
28 permit and placard. The Supreme Court may prescribe uniform rules

1 for such waivers. Anyone may use a credit card authorized by the  
2 court in which the person is cited as a means of payment of his or  
3 her fine and costs.

4 Sec. 12. Section 23-186, Revised Statutes Supplement,  
5 2004, is amended to read:

6 23-186. A county board may consolidate under the office  
7 of a designated county official the services provided to the public  
8 by the county assessor, the county clerk, and the county treasurer  
9 relating to the issuance of parking permits, certificates of title,  
10 registration certificates, certificates of number, license plates,  
11 and renewal decals, notation and cancellation of liens, and  
12 collection of taxes and fees for motor vehicles, all-terrain  
13 vehicles, minibikes, and motorboats as provided in the State Boat  
14 Act and sections 18-1738, 18-1738.01, 60-106, 60-107, 60-108,  
15 60-110, 60-111, 60-112, 60-113, 60-115, 60-119, 60-122, 60-139 to  
16 60-169, 60-301 to 60-347, 60-6,322, 60-1803, 60-3002, and 60-3007.  
17 In a county in which a city of the metropolitan class is located,  
18 the county board may designate the county treasurer to provide the  
19 services. In any other county, the county board may designate the  
20 county assessor, the county clerk, or the county treasurer to  
21 provide the services.

22 Sec. 13. Section 60-311.14, Reissue Revised Statutes of  
23 Nebraska, is amended to read:

24 60-311.14. (1) The Department of Motor Vehicles shall,  
25 without the payment of any fee except the taxes and fees required  
26 by sections 60-311, 60-3002, and 60-3007, issue license plates for  
27 one motor vehicle not used for hire and a license plate for one  
28 motorcycle not used for hire to:

1           (a) Any permanently handicapped or disabled person as  
2 defined in section 18-1738 or his or her parent, legal guardian,  
3 foster parent, or agent upon application and proof of a permanent  
4 handicap or disability; or

5           (b) A trust which owns the motor vehicle or motorcycle if  
6 a designated beneficiary of the trust qualifies under subdivision  
7 (a) of this subsection.

8           ~~Beginning January 1, 2005, an~~ (2) An application and  
9 proof of disability in the form and with the information required  
10 by section 18-1738 shall be filed before license plates are issued  
11 or reissued pursuant to this section.

12           ~~(2)~~ (3) A person issued a license plate or plates under  
13 this section may be issued only one parking placard with a permit  
14 issued under section 18-1738 or 18-1738.01.

15           (4) The license plate or plates shall carry the  
16 internationally accepted wheelchair symbol, which symbol is a  
17 representation of a person seated in a wheelchair surrounded by a  
18 border six units wide by seven units high, and such other letters  
19 or numbers as the Director of Motor Vehicles prescribes. Such  
20 license plate or plates shall be used by such person in lieu of the  
21 usual license plate or plates.

22           Sec. 14. Section 60-311.25, Reissue Revised Statutes of  
23 Nebraska, is amended to read:

24           60-311.25. The Department of Motor Vehicles shall  
25 compile and maintain a registry of the names, addresses, and  
26 license numbers of all persons who obtain special license plates  
27 pursuant to section 60-311.14 and all persons who obtain a  
28 handicapped or disabled parking permit as described in section

1 18-1739 and the number of placards issued with each permit.

2           Sec. 15. This act becomes operative on October 1, 2005.

3           Sec. 16. Original sections 18-1741.04, 60-311.14, and  
4 60-311.25, Reissue Revised Statutes of Nebraska, and sections  
5 18-1736 to 18-1741.01, 18-1741.03, and 23-186, Revised Statutes  
6 Supplement, 2004, are repealed.